

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:17-cv-00098-APM**

STORY OF STUFF PROJECT et al v. UNITED STATES  
FOREST SERVICE  
Assigned to: Judge Amit P. Mehta  
Cause: 05:552 Freedom of Information Act

Date Filed: 01/13/2017  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**STORY OF STUFF PROJECT**

represented by **Rachel Doughty**  
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**Plaintiff**

**COURAGE CAMPAIGN INSTITUTE**

represented by **Rachel Doughty**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Matt Kenna**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**UNITED STATES FOREST  
SERVICE**

represented by **William Mark Nebeker**  
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| Date Filed | #         | Docket Text  |
|------------|-----------|--|
| 01/13/2017 | <u>1</u>  | COMPLAINT against UNITED STATES FOREST SERVICE ( Filing fee \$ 400 receipt number 0090-4806909) filed by Story of Stuff Project, Courage Campaign Institute. (Attachments: # <u>1</u> Summons Civil Process Clerk, # <u>2</u> Summons Attorney General, # <u>3</u> Summons U.S. Forest Service)(Kenna, Matt) (Entered: 01/13/2017)       |
| 01/13/2017 | <u>2</u>  | Corporate Disclosure Statement by Story of Stuff Project. (Kenna, Matt) (Entered: 01/13/2017)  |
| 01/13/2017 | <u>3</u>  | Corporate Disclosure Statement by Courage Campaign Institute. (Kenna, Matt) (Entered: 01/13/2017)  |
| 01/17/2017 | <u>4</u>  | CIVIL COVER SHEET by STORY OF STUFF PROJECT, COURAGE CAMPAIGN INSTITUTE re <u>1</u> Complaint, filed by STORY OF STUFF PROJECT, COURAGE CAMPAIGN INSTITUTE. Related document: <u>1</u> Complaint, filed by STORY OF STUFF PROJECT, COURAGE CAMPAIGN INSTITUTE.(Kenna, Matt) (Entered: 01/17/2017)  |
| 01/17/2017 |           | Case Assigned to Judge Amit P. Mehta. (zsb) (Entered: 01/17/2017)  |
| 01/17/2017 | <u>5</u>  | SUMMONS (3) Issued Electronically as to UNITED STATES FOREST SERVICE, U.S. Attorney and U.S. Attorney General (Attachments # <u>1</u> Consent Form)(zsb) (Entered: 01/17/2017)   |
| 01/31/2017 | <u>6</u>  | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 1/24/2017. Answer due for ALL FEDERAL DEFENDANTS by 2/23/2017. (Attachments: # <u>1</u> Proof of Service)(Kenna, Matt) (Main Document 6 replaced on 2/1/2017) (jf). (Entered: 01/31/2017) |
| 01/31/2017 | <u>7</u>  | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 1/23/2017. (Attachments: # <u>1</u> Proof of Service)(Kenna, Matt) (Entered: 01/31/2017)  |
| 01/31/2017 | <u>8</u>  | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES FOREST SERVICE served on 1/23/2017 (Attachments: # <u>1</u> Proof of Service)(Kenna, Matt) (Entered: 01/31/2017)  |
| 02/22/2017 | <u>9</u>  | Unopposed MOTION for Extension of Time to File Answer re <u>1</u> Complaint, by UNITED STATES FOREST SERVICE (Attachments: # <u>1</u> Text of Proposed Order)(Nebeker, William) (Entered: 02/22/2017)  |
| 02/22/2017 |           | MINUTE ORDER granting Defendant's <u>9</u> Unopposed Motion for Extension of Time to File an Answer. Defendant's responsive pleading shall now be due on or before April 14, 2017. Signed by Judge Amit P. Mehta on 02/22/2017. (lcapm1) (Entered: 02/22/2017)   |
| 02/22/2017 |           | Set/Reset Deadlines/Hearings: Responsive pleading due by 4/14/2017. (cdw) (Entered: 02/23/2017)  |
| 04/13/2017 | <u>10</u> | Unopposed MOTION for Extension of Time to File Answer re <u>1</u> Complaint, by UNITED STATES FOREST SERVICE (Attachments: # <u>1</u> Text of Proposed Order)(Nebeker, William) (Entered: 04/13/2017)  |
| 04/14/2017 |           | MINUTE ORDER granting Defendant's <u>10</u> Unopposed Motion for Extension of Time to File an Answer. Defendant's responsive pleading shall now be due on or before May 16, 2017. Signed by Judge Amit P. Mehta on 04/14/2017. (lcapm1) (Entered: 04/14/2017)  |
| 04/14/2017 |           | Set/Reset Deadlines/Hearings: Answer to Complaint due by 5/16/2017. (cdw) (Entered: 04/18/2017)  |
| 05/16/2017 | <u>11</u> | Unopposed MOTION for Extension of Time to File Answer re <u>1</u> Complaint, by UNITED STATES FOREST SERVICE (Attachments: # <u>1</u> Text of Proposed   |

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|            |           | Order)(Nebeker, William) (Entered: 05/16/2017)  |
| 05/17/2017 |           | MINUTE ORDER granting Defendant's <u>11</u> Unopposed Motion for Extension of Time. Defendant's responsive pleading is now due on or before June 15, 2017. Signed by Judge Amit P. Mehta on 05/17/2017. (lcapm1) (Entered: 05/17/2017)  |
| 05/17/2017 |           | Set/Reset Deadlines/Hearings: Answer to Complaint due by 6/15/2017. (zcdw) (Entered: 05/18/2017)  |
| 06/14/2017 | <u>12</u> | Unopposed MOTION for Extension of Time to File Answer re <u>1</u> Complaint, by UNITED STATES FOREST SERVICE (Attachments: # <u>1</u> Text of Proposed Order)(Nebeker, William) (Entered: 06/14/2017)   |
| 06/16/2017 |           | MINUTE ORDER granting Defendant's <u>12</u> Unopposed Motion for Extension of Time. Defendant's responsive pleading is now due on or before June 20, 2017. Signed by Judge Amit P. Mehta on 06/16/2017. (lcapm1) (Entered: 06/16/2017)  |
| 06/16/2017 |           | Set/Reset Deadlines/Hearings: Responsive pleading due by 6/20/2017. (cdw) (Entered: 06/19/2017)   |
| 06/20/2017 | <u>13</u> | ANSWER to Complaint by UNITED STATES FOREST SERVICE.(Nebeker, William) (Entered: 06/20/2017)  |
| 06/20/2017 | <u>14</u> | ORDER: Both a Complaint and an Answer are now before the court in this FOIA case. It is hereby ordered that the parties shall meet and confer and file a Joint Status Report on or before July 7, 2017. See the attached Order for additional details. Signed by Amit P. Mehta on 06/20/2017. (lcapm1) (Entered: 06/20/2017)  |
| 06/20/2017 |           | Set/Reset Deadlines/Hearings: Joint Status Report due by 7/7/2017. (cdw) (Entered: 06/20/2017)  |
| 07/06/2017 | <u>15</u> | Joint STATUS REPORT by UNITED STATES FOREST SERVICE. (Nebeker, William) (Entered: 07/06/2017)   |
| 07/10/2017 |           | MINUTE ORDER: Upon consideration of the parties' <u>15</u> July 6, 2017, Joint Status Report, the parties are directed to file another Joint Status Report, on or before September 14, 2017, which updates the court of their progress and, if necessary, proposes a briefing schedule for summary judgment. Signed by Judge Amit P. Mehta on 07/10/2017. (lcapm1) (Entered: 07/10/2017)  |
| 07/10/2017 |           | Set/Reset Deadlines/Hearings: Joint Status Report due by 9/14/2017. (zcdw) (Entered: 07/11/2017)  |
| 09/14/2017 | <u>16</u> | Joint STATUS REPORT by COURAGE CAMPAIGN INSTITUTE, STORY OF STUFF PROJECT. (Attachments: # <u>1</u> Text of Proposed Order)(Kenna, Matt) (Entered: 09/14/2017)  |
| 09/14/2017 | <u>17</u> | ORDER setting the schedule for further proceedings in this matter: (1) On or before October 2, 2017, Plaintiffs shall identify, by e-mail to counsel for Defendant, which withholdings and redactions they may want to challenge; (2) Defendant shall file a Vaughn Index for those documents on or before October 20, 2017; (3) On or before November 1, 2017, Plaintiffs shall identify which documents they wish to pursue in summary judgment; (4) Defendant shall file its Motion for Summary Judgment on or before December 1, 2017; (5) Plaintiffs shall file their Cross-Motion for Summary Judgment and Opposition to Defendant's Motion on or before December 29, 2017; (6) Defendant shall file its Reply and Opposition to Plaintiffs' Motion for Summary Judgment on or before January 19, 2018; and (7) Plaintiffs shall file their Reply on or before February 2, 2018. See the attached Order for additional details. Signed by Judge Amit P. Mehta on 09/14/2017. (lcapm1) (Entered: 09/14/2017) |
| 09/14/2017 |           | Set/Reset Deadlines/Hearings: Vaughn Index due by 10/20/2017. Defendants Summary Judgment motion due by 12/1/2017. Response to Motion for Summary Judgment due by 12/29/2017. Reply to Motion for Summary Judgment due by 1/18/2018. Plaintiffs Cross Motion due by 12/29/2017. Response to Cross Motion due by 1/19/2018. Reply to Cross Motion due by 2/2/2018. (zcdw) (Entered: 09/15/2017)  |
| 10/19/2017 | <u>18</u> | NOTICE of Appearance by Rachel Doughty on behalf of All Plaintiffs (Doughty, Rachel) (Main Document 18 replaced on 10/20/2017) (znmw). (Entered: 10/19/2017)  |

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| 12/01/2017 | <u>19</u> | MOTION for Summary Judgment by UNITED STATES FOREST SERVICE (Attachments: # <u>1</u> Declaration Rush, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C (Vaughn Index), # <u>5</u> Text of Proposed Order)(Nebeker, William) (Entered: 12/01/2017)  |
| 12/29/2017 | <u>20</u> | MOTION for Summary Judgment <i>including Statement of Material Facts &amp; Memorandum in Support</i> by COURAGE CAMPAIGN INSTITUTE, STORY OF STUFF PROJECT (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Text of Proposed Order)(Kenna, Matt) (Entered: 12/29/2017)  |
| 12/29/2017 | <u>21</u> | RESPONSE re <u>19</u> MOTION for Summary Judgment filed by COURAGE CAMPAIGN INSTITUTE, STORY OF STUFF PROJECT. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Text of Proposed Order)(Kenna, Matt) (Entered: 12/29/2017)  |
| 01/17/2018 | <u>22</u> | Unopposed MOTION for Extension of Time to File Response/Reply by UNITED STATES FOREST SERVICE (Attachments: # <u>1</u> Text of Proposed Order)(Nebeker, William) (Entered: 01/17/2018)  |
| 01/17/2018 |           | MINUTE ORDER granting Defendant's <u>22</u> Unopposed Motion for Extension of Time to File Response/Reply. Defendant's Reply and Opposition to Plaintiffs' Cross-Motion for Summary Judgment shall now be due on or before February 9, 2018, and Plaintiffs' Reply shall be due on or before February 23, 2018. Signed by Judge Amit P. Mehta on 01/17/2018. (lcapm1) (Entered: 01/17/2018)   |
| 01/17/2018 |           | Set/Reset Deadlines/Hearings: Defendant's Reply to Motion for Summary Judgment due by 2/9/2018. Response to Cross Motion due by 2/9/2018. Reply to Cross Motion due by 2/23/2018. (zcdw) (Entered: 01/18/2018)  |
| 02/09/2018 | <u>23</u> | Memorandum in opposition to re <u>20</u> MOTION for Summary Judgment <i>including Statement of Material Facts &amp; Memorandum in Support</i> filed by UNITED STATES FOREST SERVICE. (Attachments: # <u>1</u> Declaration Lawrence, # <u>2</u> Declaration Rush, # <u>3</u> Exhibit Attachments to 2d Rush Decl., # <u>4</u> Text of Proposed Order)(Nebeker, William) (Entered: 02/09/2018)  |
| 02/09/2018 | <u>24</u> | REPLY to opposition to motion re <u>19</u> MOTION for Summary Judgment ( <i>same as ECF No. 23, see ECF 23 for attachments</i> ) filed by UNITED STATES FOREST SERVICE. (Nebeker, William) (Entered: 02/09/2018)  |
| 02/23/2018 | <u>25</u> | ERRATA re ECF ## 20, 21, 20-1, 21-1 by COURAGE CAMPAIGN INSTITUTE, STORY OF STUFF PROJECT <u>20</u> MOTION for Summary Judgment <i>including Statement of Material Facts &amp; Memorandum in Support</i> filed by STORY OF STUFF PROJECT, COURAGE CAMPAIGN INSTITUTE. (Attachments: # <u>1</u> Corrected Summary Judgment Motion/Memo, # <u>2</u> Corrected Declaration of Amanda Fox)(Kenna, Matt) (Entered: 02/23/2018)   |
| 02/23/2018 | <u>26</u> | REPLY to opposition to motion re <u>19</u> MOTION for Summary Judgment , <u>20</u> MOTION for Summary Judgment <i>including Statement of Material Facts &amp; Memorandum in Support</i> filed by COURAGE CAMPAIGN INSTITUTE, STORY OF STUFF PROJECT. (Kenna, Matt) (Entered: 02/23/2018)  |
| 09/27/2018 | <u>27</u> | MEMORANDUM OPINION and ORDER granting in part and denying in part Defendant's <u>19</u> Motion for Summary Judgment and denying Plaintiffs' <u>20</u> <u>25</u> Cross-Motion for Summary Judgment. The parties shall meet and confer and, no later than October 10, 2018, propose a schedule for an additional round of summary judgment briefing. See the attached Memorandum Opinion and Order for details. Signed by Judge Amit P. Mehta on 09/27/2018. (lcapm3) (Entered: 09/27/2018) |
| 09/27/2018 |           | Set/Reset Deadlines: Proposed Briefing Schedule due by 10/10/2018. (zjd) (Entered: 09/28/2018)  |
| 10/10/2018 | <u>28</u> | Joint STATUS REPORT by COURAGE CAMPAIGN INSTITUTE, STORY OF STUFF PROJECT. (Attachments: # <u>1</u> Text of Proposed Order)(Kenna, Matt) (Entered: 10/10/2018)  |
| 10/11/2018 |           | MINUTE ORDER. Upon consideration of the parties' <u>28</u> Joint Status Report, the parties are directed to file another Joint Status Report, on or before October 24, 2018,  |

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|            |           | that updates the court on their progress toward settlement. Signed by Judge Amit P. Mehta on 10/11/2018. (lcapm1) (Entered: 10/11/2018)  |
| 10/11/2018 |           | Set/Reset Deadlines: Joint Status Report due by 10/24/2018. (zjd) (Entered: 10/11/2018)  |
| 10/24/2018 | <u>29</u> | Joint STATUS REPORT by COURAGE CAMPAIGN INSTITUTE, STORY OF STUFF PROJECT. (Attachments: # <u>1</u> Text of Proposed Order)(Kenna, Matt) (Entered: 10/24/2018)   |
| 10/25/2018 |           | MINUTE ORDER entering the briefing schedule proposed in the parties' <u>29</u> Joint Status Report. The schedule for further proceedings in this matter is as follows: (1) Defendant's Motion for Summary Judgment is due on or before December 3, 2018; (2) Plaintiffs' Opposition to Defendant's Motion and Cross-Motion for Summary Judgment is due on or before January 7, 2019; (3) Defendant's Reply in Support of Summary Judgment and Opposition to Plaintiffs' Cross-Motion for Summary Judgment is due on or before January 29, 2019; and (4) Plaintiffs' Reply in Support of their Cross-Motion for Summary Judgment is due on or before February 12, 2019. Signed by Judge Amit P. Mehta on 10/25/2018. (lcapm1) (Entered: 10/25/2018) |
| 10/25/2018 |           | Set/Reset Deadlines: Defendant's Motion for Summary Judgment due by 12/3/2018. Plaintiff's Opposition and Cross-Motion for Summary Judgment due by 1/7/2019. Defendant's Reply and Opposition due by 1/29/2019. Plaintiff's Reply due by 2/12/2019. (zjd) (Entered: 10/25/2018)  |
| 12/03/2018 | <u>30</u> | Consent MOTION for Extension of Time to <i>File Defendant's Motion for Summary Judgment</i> by UNITED STATES FOREST SERVICE (Adebonojo, Kenneth) (Entered: 12/03/2018)   |
| 12/04/2018 |           | MINUTE ORDER granting Defendant's <u>30</u> Consent Motion to Enlarge Time to File Defendant's Motion for Summary Judgment. Defendant's Motion for Summary Judgment is now due on or before December 7, 2018; (2) Plaintiffs' Opposition to Defendant's Motion and Cross-Motion for Summary Judgment is now due on or before January 11, 2019; (3) Defendant's Reply in Support of Summary Judgment and Opposition to Plaintiffs' Cross-Motion for Summary Judgment is now due on or before February 3, 2019; and (4) Plaintiffs' Reply in Support of their Cross-Motion for Summary Judgment is now due on or before February 16, 2019. Signed by Judge Amit P. Mehta on 12/04/2018. (lcapm1) (Entered: 12/04/2018)                               |
| 12/04/2018 |           | Set/Reset Deadlines: Defendant's Motion for Summary Judgment due by 12/7/2018. Plaintiffs' Opposition and Cross-Motion for Summary Judgment due by 1/11/2019. Defendant's Reply and Opposition due by 2/3/2019. Plaintiff's Reply due by 2/16/2019. (zjd) (Entered: 12/06/2018)  |
| 12/07/2018 | <u>31</u> | MOTION for Summary Judgment by UNITED STATES FOREST SERVICE (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Memorandum in Support, # <u>3</u> Declaration Larry Lawrence, # <u>4</u> Declaration Latanga Rush)(Adebonojo, Kenneth) (Entered: 12/07/2018)   |
| 01/11/2019 | <u>32</u> | MOTION for Summary Judgment by COURAGE CAMPAIGN INSTITUTE, STORY OF STUFF PROJECT (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Declaration of Michael O'Heaney with Exhibits, # <u>3</u> Declaration of Zachary Marker with Exhibits A & B, # <u>4</u> Exhibit C D & E to Declaration of Zachary Marker, # <u>5</u> Exhibit F & G to Declaration of Zachary Marker, # <u>6</u> Exhibit H Part 1 to Declaration of Zachary Marker, # <u>7</u> Exhibit H Part 2 to Declaration of Zachary Marker, # <u>8</u> Exhibit I & J to Declaration of Zachary Marker, # <u>9</u> Memorandum in Support, # <u>10</u> Text of Proposed Order)(Kenna, Matt) (Entered: 01/11/2019)   |
| 01/11/2019 | <u>33</u> | Memorandum in opposition to re <u>31</u> MOTION for Summary Judgment filed by COURAGE CAMPAIGN INSTITUTE, STORY OF STUFF PROJECT. (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Declaration of Michael O'Heaney with Exhibits, # <u>3</u> Declaration of Zachary Marker with Exhibits A & B, # <u>4</u> Exhibit C D & E to Declaration of Zachary Marker, # <u>5</u> Exhibit F & G to Declaration of Zachary Marker, # <u>6</u> Exhibit H Part 1 to Declaration of Zachary Marker, # <u>7</u> Exhibit H Part 2 to Declaration of Zachary Marker, # <u>8</u> Exhibit I & J to Declaration of Zachary Marker, # <u>9</u> Text of Proposed Order)(Kenna, Matt) (Entered: 01/11/2019)  |



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| 01/29/2019 | <u>34</u> | Unopposed MOTION for Extension of Time to File Response/Reply as to <u>31</u> MOTION for Summary Judgment , <u>32</u> MOTION for Summary Judgment by UNITED STATES FOREST SERVICE (Attachments: # <u>1</u> Text of Proposed Order)(Nebeker, William) (Entered: 01/29/2019)  |
| 01/30/2019 |           | MINUTE ORDER granting <u>34</u> Defendant's Unopposed Motion for Enlargement of Time. The schedule for further proceedings in this matter is now as follows: (1) Defendant's Reply in Support of Summary Judgment and Opposition to Plaintiffs' Cross-Motion for Summary Judgment is due on or before February 19, 2019; and (2) Plaintiffs' Reply in Support of their Cross-Motion for Summary Judgment is due on or before march 5, 2019. Signed by Judge Amit P. Mehta on 01/30/2019. (lcapm1) (Entered: 01/30/2019) |